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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 UNITED STATES OF AMERICA,
8 Plaintiff,
9 v.
10 DENNIS JASON WAYNE FISHER,
11 a/k/a JASON FISHER,
12 Defendant.

6 CASE NO. CR18-5001BHS
7 ORDER

12 This matter comes before the Court on Defendant Dennis Jason Wayne Fisher's
13 Motion and Declaration to Continue Trial and Pre-Trial Motions Date. The Court,
14 having considered the unopposed motion and declaration of counsel and the Defendant's
15 speedy trial waiver, makes the following findings of fact and conclusions of law:

16 1. Defense counsel Karen Unger was substituted as counsel for Mr. Fisher on
17 February 21, 2018, and therefore needs additional time to review discovery and relevant
18 evidence, file any pretrial motions and prepare for trial.

19 2. The defense needs additional time to explore all relevant issues and defenses
20 applicable to the case, which would make it unreasonable to expect adequate preparation
21 for pretrial proceedings or for trial itself within the time limits established by the Speedy
22 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to
2 allow the defense the reasonable time for effective preparation and to ensure continuity of
3 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result
5 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best
7 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

8 6. Defendant waived speedy trial through August 31, 2018.

9 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued
10 from March 13, 2018, to August 28, 2018, at 9:00 a.m. The resulting period of delay
11 from March 2, 2018, to August 28, 2018, is hereby excluded for speedy trial purposes
12 under 18 U.S.C. § 3161(h)(7)(A) and (B).

13 Pretrial motions are due no later than July 12, 2018. Pretrial Conference is set for
14 August 20, 2018 at 2:30 p.m.

15 | Dated this 8th day of March, 2018.


BENJAMIN H. SETTLE
United States District Judge